

REMARKS

Applicant has studied the Office Action dated July 7, 2006, and has made amendments to the claims. Claims 1, 8 and 10 have been amended. Claim 3 has been canceled without prejudice. Claims 11-22 have previously been withdrawn. Claims 24 and 25 are new. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. Reconsideration is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4, 5 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kikuta (JP 05040663). This rejection is respectfully traversed.

A proper rejection for anticipation under § 102 requires complete identity of invention. The claimed invention, including each element thereof as recited in the claims, must be disclosed or embodied, either expressly or inherently, in a single reference. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991); Standard Havens Prods., Inc. v. Gencor Indus., Inc., 953 F.2d 1360, 1369, 21 U.S.P.Q.2d 1321, 1328 (Fed. Cir. 1991).

As amended, independent claim 1 discloses a read-only recording medium containing recorded data, "wherein the first data type includes at least one error correcting code (ECC) data unit on which an error correction is performed, and the at least one error correcting code (ECC) data unit comprises a plurality of sub-units".

As stated by the examiner on page 4, section 6 of the Office Action, Kikuta does not disclose that the first data type includes at least one error correcting code (ECC) unit. Accordingly, it is respectfully submitted that claim 1 and the claims dependent from claim 1 are allowable over Kikuta.

Rejections under 35 U.S.C. § 103

Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuta in view of Zook (U.S. Patent No. 5,920,578).

With this paper, claim 3 has been canceled. However, the limitations of previously presented claim 3 have been incorporated into independent claim 1. Therefore, arguments for the allowance of claim 1 in view of the combination of Kikuta and Zook will be made.

As stated by the examiner on page 4, section 6 of the Office Action, Kikuta does not disclose that the first data type includes at least one error correcting code (ECC) unit. However, the examiner asserts that Zook teaches this limitation, and therefore, it would have been obvious to apply the teachings of Zook with Kikuta to derive the applicant's present invention.

The applicant respectfully asserts that the combination Kikuta and Zook does not teach the invention of amended claim 1. Claim 1 discloses a read-only recording medium containing recorded data, "wherein the first data type includes at least one error correcting code (ECC) data unit on which an error correction is performed, and the at least one error correcting code (ECC) data unit comprises a plurality of sub-units". The applicant respectfully asserts that Zook does not teach or suggest an ECC data unit comprising a plurality of sub-units. Although Zook discloses an error detection and correction system implementing a series of ECC layers (lines 20-27 of Zook), Zook does not specifically teach each ECC layer comprising a plurality of sub-units, as recited in claim 1. Accordingly, it is respectfully submitted that claim 1 and claims dependent from claim 1 are allowable over the combination of Kikuta and Zook.

Claims 8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuta in view of Kamoto et al. (U.S. Patent No. 5,708,649). These rejections are respectfully traversed.

As previously asserted, independent claim 1 is allowable over Kikuta and Zook. Furthermore, it is respectfully submitted that Kamoto et al. fails to cure the deficiencies of Kikuta and Zook with respect to an ECC data unit comprising a plurality of sub-units, as recited in independent claim 1. Therefore, it is respectfully asserted that independent claim 1 is allowable over the cited references. It is further respectfully asserted that claims 8 and 10, which depend from claim 1, are also allowable over the cited references.

Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuta in view of the admitted prior art. This rejection is respectfully traversed.

As previously asserted, independent claim 1 is allowable over Kikuta and Zook. Furthermore, it is respectfully submitted that the admitted prior art fails to cure the deficiencies of Kikuta and Zook with respect to an ECC data unit comprising a plurality of sub-units, as recited in independent claim 1. Therefore, it is respectfully asserted that independent claim 1 is allowable over the cited references in combination with the admitted prior art. It is further

respectfully asserted that claim 23, which depends from claim 1, is also allowable over the cited references in combination with the admitted prior art.

New Claims 24 and 25

With this paper, claims 24 and 25 have been added, and are dependent from claim 1. By virtue of their dependency from claim 1, it is respectfully submitted that new claims 24 and 25 are allowable.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application, as amended, is requested.

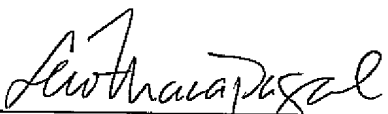
No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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